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Date: 12/18/98

By: Kathy Horne

DOCKET No.: 0019.00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:

Platz *et al.*

SERIAL No.: 08/246,034

FILED: May 18, 1994

FOR: **METHODS AND COMPOSITIONS
FOR THE DRY POWDER
FORMULATION OF
INTERFERONS**



EXAMINER: N. Degen

ART UNIT: 1805

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**REVOCATION OF PRIOR POWERS OF ATTORNEY AND NEW POWER OF
ATTORNEY
STATEMENT UNDER 37 C.F.R. §3.73(b)**

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Inhale Therapeutic Systems, hereinafter "Assignee", having an address at 150 Industrial Road, San Carlos, CA 94070-6256, respectively, is the owner of the entire right, title, and interest in and to U.S. Application Serial No./Patent No. 08/246,034, filed/issued May 18, 1994, by virtue of the assignment recorded on September 13, 1995 in the United States Patent and Trademark Office at Reel 7635, Frames 0662.

In accordance with 37 C.F.R. §3.73(b), Assignee hereby certifies that the evidentiary documents with respect to ownership have been reviewed and that, to the best of Assignee's knowledge and belief, title is in the assignee seeking to take this action.

The undersigned, whose title is supplied below, is empowered to act on behalf of the assignee.

Assignee hereby revokes all powers of attorney previously granted in the above-identified application and appoints the following practitioners:

Felissa H. Cagan, Registration No. 35,089,

Stephen L. Hurst, Registration No. 31,266,

Susan T. Evans, Registration No. 38,443

to prosecute and transact all business in the Patent and Trademark Office connected therewith.

Please change the correspondence address for the above-identified application to:

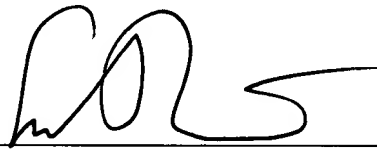
Customer No. 21968

Inhale Therapeutic Systems
150 Industrial Road
San Carlos, CA 94070-6256

Telephone No.: 650-631-3100
Facsimile No. 650-631-3150

Signature on behalf of Assignee:

Date: 12 December 1998



Signature

Name: Stephen L. Hurst
Title: General Counsel and Secretary

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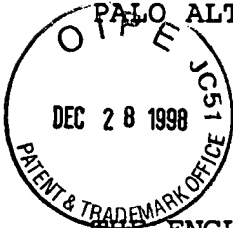
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UNITED STATES PATENT AND TRADEMARK OFFICE
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THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, NORTH TOWER BUILDING, SUITE 10C35, WASHINGTON, D.C. 20231.

RECORDATION DATE: 09/13/1995

REEL/FRAME: 7635/0662
NUMBER OF PAGES: 4

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

PLATZ, ROBERT M.

DOC DATE: 07/19/1995

ASSIGNOR:

FOSTER, LINDA C.

DOC DATE: 07/19/1995

ASSIGNOR:

KIMURA, SHIGENOBU

DOC DATE: 07/26/1995

ASSIGNOR:

SATOH, YUICHIRO

DOC DATE: 07/26/1995

ASSIGNOR:

TORAY INDUSTRIES, INC.

DOC DATE: 08/02/1995

ASSIGNEE:

INHALE THERAPEUTIC SYSTEMS
1001 EAST MEADOW CIRCLE
PALO ALTO, CALIFORNIA 94301

4-22-96

7635/0662 PAGE 2

SERIAL NUMBER: 08246034
PATENT NUMBER:

FILING DATE: 05/18/1994
ISSUE DATE:

JOANN STEWART, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

ASSIGNMENT

Whereas, Robert M. Platz, having an address at 324 Valdez Avenue, Half Moon Bay, California 94019 U.S.A; Linda C. Foster, having an address at 733 Carolina Avenue, Sunnyvale, California 94086 U.S.A.; Shigenobu Kimura, having an address at N-104, 1-31-17 Tsunishi, Kamakura-shi, Kanagawa-ken Japan; and Yuichiro Satoh, having an address at 1-5-17 Gokurakuji, Kamakura-shi, Kanagawa-ken Japan (hereinafter referred to individually and collectively as "inventor") have invented certain new and useful improvements in:

**METHODS AND COMPOSITIONS FOR THE DRY POWDER
FORMULATION OF INTERFERONS (the "Invention"); and**

Whereas, on May 15, 1995, a PCT Request to file an international patent application for the Invention to be processed in accordance with the Patent Cooperation Treaty (the "PCT" Application) was submitted to the Commissioner of Patents and Trademarks, Washington, D.C. 20231; and

Whereas, the PCT Application was designated as International Application No. PCT/US95/06008, with an international filing date of 15 May 1995; and

Whereas, the PCT Application claims priority to U.S. Patent Application Serial No. 08/246,034 filed on May 18, 1994 (the "Priority Application") as a continuation-in-part of the Priority Application; and

Whereas, Inhale Therapeutic Systems (hereinafter "Inhale"), a corporation of the State of California, and having a principal place of business at 1001 East Meadow Circle, Palo Alto, California 94301, is desirous of acquiring the entire right, title, and interest in and to the Invention, the Priority Application, the PCT Application and the letters patent to be obtained therefor throughout the world; and

Whereas, the inventors Satoh and Kimura are employees of Toray Industries, Inc. ("Toray"), having an address at 2-1, Nihonbashi-Muromachi 2-chome, Chuo-ku, Tokyo 103, Japan, and contributed to the discovery of the Invention under a previous agreement between Toray and Inhale to develop certain "project technology" as defined in such agreement; and

Whereas, the inventors Satoh and Kimura have an obligation to their employer Toray to assign any rights in and to the Invention to Toray or its designee; and

Whereas, the inventors Platz and Foster have an obligation to their employer Inhale to assign any rights in and to the Invention to Inhale; and

Whereas, Toray and Inhale by an agreement in writing agreed that Toray's entire right, title and interest in and to the invention would be assigned to Inhale; and

Whereas, the inventors and Toray wish to ensure that the entire right, title and interest in and to the invention reside in Inhale,

Now, therefore, for and in consideration of One Dollar and other good and valuable consideration, to the inventor and Toray in hand paid, the receipt and sufficiency whereof are hereby acknowledged, inventor and Toray have sold, assigned, and set over and by these presents does hereby sell, assign, and set over unto Inhale and Inhale's legal representatives, successors and assigns, the entire right, title, and interest in and to the Invention, the Priority Application, the PCT Application and the letters patent, both foreign and domestic, that may or shall issue thereon; and Inventor and Toray hereby authorize and request the Commissioner of Patents and Trademarks to issue said Letters Patent to the above-mentioned Inhale agreeably with the terms of this assignment.

Inventor hereby authorizes Inhale or its legal representative to insert in this instrument any information that may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office for recordation of this document.

Upon said consideration, inventor and Toray have conveyed and hereby conveys to Inhale the right to make further application in its own behalf for protection of said invention in countries foreign to the United States and where expedient to claim under the International Convention or other international arrangement for any such application the date of the United States application (or other application if any there be) in priority to other applications; and inventor and Toray hereby covenant and agree with Inhale that inventor and Toray will not execute any writing or do any act whatsoever conflicting with these presents, and that inventor and Toray will at any time upon request, without further or additional consideration, but at the expense of Inhale, execute such additional assignments and other writings and do such additional acts as Inhale may deem necessary or desirable to perfect Inhale's enjoyment of this grant, and render all necessary assistance in making application for and obtaining original, continuing, divisional, renewal, reissued, reexamined or extended Letters Patent of the United States or of any and all foreign countries on said invention, and in enforcing any rights or chose in action accruing as a result of such applications or patents, by giving testimony in any proceedings or transactions involving such applications or patents, and by executing preliminary statements and other affidavits, it being understood that the

foregoing covenant and agreement shall bind and inure to the benefit of the assigns and legal representatives of both parties.

Date: 7/19/95

By: Robert Platz
ROBERT M. PLATZ

Date: 7/19/95

By: Linda C. Foster
LINDA C. FOSTER

Date: 7/26/95

By: Yuichiro Satoh
YUICHIRO SATOH

Date: 7/26/95

By: Shigenobu Kimura
SHIGENOBU KIMURA

Date: 8/02/95

Toray Industries, Inc.
By: Chiaki Tanaka

Print name: CHIAKI TANAKA

Title: Director and General Manager
Intellectual Property Department
Toray Industries, Inc.